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WESTERN DISTRICT OF LOUISIANA  
MONROE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

JIMMIE C. ETHERIDGE

CIVIL ACTION NO. 03-1437

VERSUS

JUDGE ROBERT G. JAMES

STEELCRAFT, ET AL.

MAG. JUDGE KAREN L. HAYES

MEMORANDUM ORDER

On May 26, 2005, Magistrate Judge Karen L. Hayes issued a Ruling On Motions to Strike [Doc. No. 69], which denied Plaintiff Jimmie C. Etheridge's Motion to Strike Affidavit Evidence and which granted in part and denied in part Defendants General Star Indemnity Co. and Steelcraft, Inc.'s (collectively, "Defendants") Motion to Strike Plaintiff's Expert Testimony.

Pending before the Court are three Appeals of the Magistrate Judge's May 26, 2005 Ruling: one filed by Plaintiff [Doc. No. 74]; one filed by Intervenor Plaintiffs Columbia HCA and Zurich American Insurance Co. (collectively, "Intervenors") [Doc. No. 77]<sup>1</sup>; and one filed by Defendants [Doc. No. 79]. Plaintiff and Defendants have both filed Oppositions to the respective Appeals.

A magistrate judge's non-dispositive order is reviewable under the clearly erroneous and contrary to law standard. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); *Castillo v. Frank*, 70 F.3d 382, 385-86 (5th Cir. 1995).

Having conducted a review of the entire record, including the extensive memoranda submitted by Plaintiff, Defendants, and Intervenors, the Court finds that, under the facts and

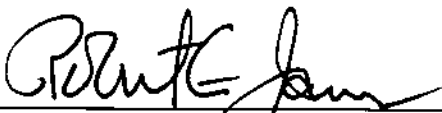
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<sup>1</sup>Intervenors' Appeal adopts Plaintiff's Appeal *in extenso*.

circumstances of this case, the Magistrate Judge's ruling was not clearly erroneous nor contrary to law.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's appeal [Doc. No. 74], Intervenor's Appeal [Doc. No. 77], and Defendants' Appeal [Doc. no. 79] are all DENIED, and that the Magistrate Judge's Ruling On Motions to Strike [Doc. No. 69] is AFFIRMED.

MONROE, LOUISIANA, this 18 day of August, 2005.

  
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ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE